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Docket: 10265.96.1

**WORKMAN
NYDEGGER
& SEELEY**

ATTORNEYS AT LAW

A PROFESSIONAL CORPORATION

1000 EAGLE GATE TOWER

60 EAST SOUTH TEMPLE

SALT LAKE CITY, UTAH 84111

TELEPHONE (801) 533-9800

FACSIMILE (801) 328-1707

RICK D. NYDEGGER
DAVID O. SEELEY
BRENT P. LORIMER
THOMAS R. VUKSINICK
LARRY R. LAYCOCK
JONATHAN W. RICHARDS
DAVID R. WRIGHT
JOHN C. STRINGHAM
JOHN M. GUYNN
CHARLES L. ROBERTS
GREGORY M. TAYLOR
DANA L. TANGREN
ERIC L. MASCHOFF
KEVIN B. LAURENCE
CHARLES J. VEVERKA
ROBYN L. PHILLIPS
RICHARD C. GILMORE†
DAVID B. DELLENBACH
KEVIN K. JOHANSON
R. BURNS ISRAELSEN

DAVID R. TODD
L. DAVID GRIFFIN
FRASER D. ROY
CARL T. REED
JESÚS JUANÓS I TIMONEDA, Ph.D.
R. PARRISH FREEMAN, JR.
PETER F. MALEN, JR.
ADRIAN J. LEE
DAVID B. TINGEY
L. REX SEARS, Ph.D.
ERIC M. KAMERATH
ROBERT E. AYCOCK
JENS C. JENKINS
KEVIN W. STINGER
WILLIAM J. ATHAY
WILLIAM R. RICHTER*
† ADMITTED ONLY IN CALIFORNIA
* ADMITTED ONLY IN PENNSYLVANIA
H. ROSS WORKMAN
OF COUNSEL

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MAILING ADDRESS:

P.O. BOX 45862

SALT LAKE CITY, UT 84145

INTERNET

HOME PAGE: <http://www.wnspatent.com>GENERAL E-MAIL: info@wnspatent.com

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box: PATENT APPLICATION
Assistant Commissioner for Patents
Washington, DC 20231

TRANSMITTAL FOR PATENT APPLICATION

Sir:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b) is a United States patent application entitled **SUSTAINED RELEASE COMPOSITIONS FOR ORALLY ADMINISTERED SUBSTANCES AND METHODS** in the name of the following inventors:

Inventor: Andy Swenson
Citizenship: United States
Address: 18 South 100 East
Payson, Utah 84651

Inventor: James Wagstaff
Citizenship: United States
Address: 1025 North 300 West, #10
Spanish Fork, Utah 84663

Enclosed are the following:

- X A specification, claims, abstract, and cover page in total comprising thirty-seven (37) pages.
- X Three (3) sheets of drawings.

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- X A Certificate of Express Mailing by "Express Mail" certifying a filing date by use of Express Mail Label No. EL 727 459 205 US.
- X Enclosed is a non-publication request requesting that the present application not be published.
- X No fees are enclosed.
- X No Declaration, Power of Attorney, and Petition is enclosed.
- X Priority to Provisional Application Serial No. 60/201,815 filed on May 4, 2000 is claimed under 35 U.S.C. § 119.
- X Request and Certification under 35 USC § 122(b)(2)(B)(i) is enclosed.
- _____ A certified copy of foreign priority Application Serial No. _____.
- _____ An Associate Power of Attorney.

Please address all future correspondence in connection with the above-identified patent application to the attention of the undersigned.

Dated this 4th day of May 2001.

Respectfully submitted,

Robyn L. Phillips

ROBYN L. PHILLIPS
Attorney for Applicant
Registration No. 39,330



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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CERTIFICATE OF MAILING BY "EXPRESS MAIL"

I hereby certify that the following documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated below in an envelope addressed to Box: PATENT APPLICATION, Assistant Commissioner for Patents, Washington, DC 20231:

- Patent Application in the names of Andy Swenson and James Wagstaff for SUSTAINED RELEASE COMPOSITIONS FOR ORALLY ADMINISTERED SUBSTANCES AND METHODS (37 pages)
- Drawings (3 sheets)
- Transmittal Letter (2 pages)
- Request and Certification under 35 USC § 122(b)(2)(B)(i)
- Postcard

Dated this 4th day of May 2001.

Respectfully submitted,



ROBYN L. PHILLIPS
Attorney for Applicant
Registration No. 39,330

WORKMAN, NYDEGGER & SEELEY
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
Telephone: (801) 533-9800

RLP:dfw

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor

Andy Swenson

Title

Sustained Release Compositions for Orally
Administered Substances and Methods

Atty Docket Number

10256.96.1

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

May 4, 2001

Date

Robyn L Phillips

Signature

Robyn L. Phillips, Reg. No. 39,330

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**